

### REMARKS

In the Office Action dated September 23, 2004, claims 1–21 stand rejected. Claims 1–5, 8, 12–16 and 19 are rejected over Neighbor Discovery for IP Version 6 by Narten (“*Narten*”). Claims 6–7, 9–11, 17–18, and 20–21 are rejected over *Narten* in view of IP Mobility Support edited by Perkins (“*Perkins*”). Applicants traverse the rejections, cancel claims, 1, 8, 12, and 19, add new claims 22 and 23, and amend claims 2, 4–11, 13, 14–18, and 20–21 to depend from new claims 22 and 23. Applicants also submit the enclosed Request for Continued Examination.

#### New Claims 22 and 23 Patentably Distinguish Over *Narten*

An important aspect of the instant invention is that it enables a host computer that is cut off from communication with a known set of routers and hosts to establish communication with a previously unknown host. New claims 22 and 23 more particularly point out this important aspect of the invention. More particularly, new claims 22 and 23 recite in pertinent part, in response to a first mobile host determining that no known routers are available with which to communicate, it sends a “second service solicitation request” and in response the second service solicitation request, the first mobile host receives a “network layer address of a previously unknown second mobile host.”

*Narten* fails to teach the important feature of a first host, cut off from communication from known routers, being able to solicit and establish communications with a second mobile host, previously unknown to the first mobile host, as recited by new claims 22 and 23. *Narten* does indicate that “[w]hen a router or the path to a router fails, a host actively searches for functioning alternates.” This statement, however, does not teach or suggest the possibility that the functioning alternate is a second mobile host previously unknown to the first mobile host. In fact, *Narten* only describes three message formats relating to determining an address of a host: a Neighbor Solicitation Message, a Solicited Neighbor Advertisement, and an Unsolicited Neighbor Advertisement. These messages do not elicit responses from previously unknown mobile hosts.

As explained in Section 4.3 of *Narten*, the Neighbor Solicitation Message includes a field “target address,” defined as “[t]he IP address of the target of the solicitation.” Therefore the target of the Neighbor Solicitation Message must be known to the sender prior to sending the message. As also explained in Section 4.4, the Neighbor Solicitation Messages causes a response from the node at the “target address,” not a response from a “previously unknown

second mobile host,” as now recited in new claims 22 and 23. Thus, since *Narten* does not teach or suggest a previously unknown second mobile host responding to the Neighbor Solicitation Message, the Neighbor Solicitation Message does not meet the recited limitations of the “second service solicitation.”

As explained in Section 4.4 of *Narten*, the Solicited Neighbor Advertisement is sent in response to the Neighbor Solicitation Message, not in response to a determination by the first mobile host that “no routers are available with which to communicate,” as recited in new claims 22 and 23. In addition, as stated above, the Neighbor Solicitation Message eliciting the Solicited Neighbor Advertisement includes the address of the node sending the Advertisement. Therefore, the sender of the Solicited Neighbor Advertisement must already have been known to the recipient of the Advertisement. Thus, the Solicited Neighbor Advertisement also does not meet the recited requirements of the “second service solicitation.”

Sections 4.4 and 7.2.6 of *Narten* state that an Unsolicited Neighbor Advertisement is sent to “(unreliably) propagate new information quickly,” for example, when the sender determines that its link-layer address has changed. The Unsolicited Neighbor Advertisement is not sent in response to a determination by the first mobile host that “no routers are available with which to communicate,” as recited in new claims 22 and 23. Thus, the Unsolicited Neighbor Advertisement fails to meet the recited requirements of the “second service solicitation.”

As *Narten* fails to teach or suggest a second service solicitation, *Narten* also fails to teach or suggest a response to such a message, as recited in new claims 22 and 23.

Applicants therefore request reconsideration and withdrawal of the §102 rejections of these claims as well.

#### All Claims Are Patentable Over *Narten* In View Of *Perkins*

Claims 6–7 and 9–11 depend from claim 22. Claims 17–18 and 20–21 depend upon claim 23. *Perkins* fails to cure the deficiencies of *Narten*. Applicants therefore request reconsideration and withdrawal of the §103 rejections of these claims, as well.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Application No.: 09/736827

Docket No.: BBNT-P01-013

Applicant believes no fee is due with this response other than as reflected on the enclosed Fee Transmittal. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BBNT-P01-013 from which the undersigned is authorized to draw.

Dated: November 19, 2004

Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant